

## REMARKS/ARGUMENTS

### Amendments to the Specification

Applicants have carefully considered the rejections raised in the Action dated March 11, 2005. As a result, the specification including claims have been amended to comply with the Examiner's requirements as outlined herebelow.

The claims have been amended to more clearly and concisely claim the present invention. Particularly, claim 1 has been amended to incorporate part of the subject matter of claim 3 and claim 45 has been amended similar to claim 1. Claim 3 has been amended to remove the material incorporated into claim 1, and claim 2 has been amended to provide proper antecedent basis.

The Summary of Invention in the description pages has also been amended to reflect the above-mentioned amendments to the claims 1 and 45.

### Patentability Over The Cited References

The Examiner has provisionally rejected claims 1-54 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-15 of copending application Serial No. 10/204,539 of on which one the applicants of the instant invention (Kumacheva) is the sole applicant. The Examiner has rejected claims 1-54 under 35 U.S.C. 102(e), on the basis of being anticipated by Kumacheva (United States Patent Publication No. US2003/0136946 (which is Serial No. 10/204,539). Withdrawal of these rejections is requested for the following reasons.

On April 28, 2005, applicant Eugenia Kumacheva met with Examiner Elizabeth Mulvaney, Canadian patent agent Lynn C. Schumacher and US patent agent Ralph Dowell at the USPTO. A copy of the Interview Summary is attached hereto. Applicant and her agents would like to thank Examiner Mulvaney for taking the time to meet with them. At the meeting, the applicant discussed the differences between the present claims and the teachings of the cited references on which she is also a co-inventor.

Briefly, it was discussed that the claims of the present invention are directed to a core/shell storage device in which cores are embedded in a **continuous phase** shell medium. On the other hand, the cited reference is directed to a core/shell structure which also includes **voids** dispersed throughout the shell material so that in the cited

reference USSN 10/204,539 the shell structure is not continuous as is recited in amended independent claims 1 and 45. It is noted that independent claim 35 already includes this limitation in line 10 of the claim.

Applicant submits that the amendments are to more clearly and succinctly recite and claim the present invention. It is respectfully submitted that all the amendments are supported by the original specification as a whole and therefore no new matter has been added by these amendments. Agreement with respect to the amended claims distinguishing over the cited art was reached at the interview.

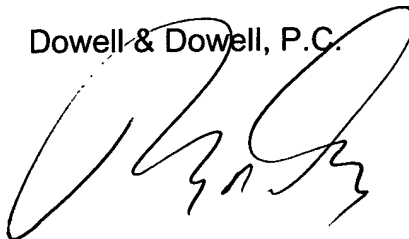
In view of the foregoing amendments and remarks, reconsideration and withdrawal of the judicially created double patenting and 102(e) rejections is respectfully solicited and favorable consideration and allowance of the cited claims is requested.

Should the Examiner have any questions regarding the allowability of the claims it would be appreciated if the Examiner would contact the undersigned attorney-of-record at the telephone number shown below for further expediting the prosecution of the application.

Respectfully submitted,

Dowell & Dowell, P.C.

By:



Ralph A. Dowell, Registration No. 26,868

Date: *MAY 4, 2005*

DOWELL & DOWELL, P.C.  
Suite 406, 2111 Eisenhower Avenue  
Alexandria, VA 22314  
Telephone - (703) 415-2555  
Facsimile - (703) 415-2559  
E-mail - [dowell@dowellpc.com](mailto:dowell@dowellpc.com)